

Notice of Allowability

Application No.

10/550,245

Examiner

Theresa Trieu

Applicant(s)

ANDOSKIN ET AL.

Art Unit

3748

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.


1. ☒ This communication is responsive to the applicants' amendment filed on Oct. 17, 2006.
2. ☒ The allowed claim(s) is/are 1-3.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date Sept. 5, 2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Theresa Trieu
Primary Examiner
Art Unit: 3748

EXAMINER'S AMENDMENT

This Office Action is responsive to the applicants' amendment filed on October 17, 2006.

Claims 1 and 2 have been amended. Thus, claims 1-3 are pending in this application.

Applicants' cooperation in correcting the informalities in the drawing and specification are appreciated.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: the prior art fails to disclose or render obvious the claimed combination including: profiles of the rotor and rubber stator being outlined in end cross section thereof in the form of an envelop of an initial contour of a rack-type tool, which contour is formed by conjugation of circle arcs when said initial contour of the rack-type tool is run without sliding along corresponding tool circles and the arc radii of the circle arcs of the initial contour being defined by following expressions:

$$\begin{aligned} r_i &= K[(\pi^2 r_{w1}^2 / 4 E z_1^2) + E] / (K+1) \text{ or} \\ r_i &= K[(\pi^2 r_{w2}^2 / 4 E z_2^2) + E] / (K+1), \\ r_c &= r_i / K, \end{aligned}$$

where r_i is the initial radius of the rack-type tool profile; $K=(0.5 \dots 2)$ is a shape coefficient of the initial contour; r_{w1} , r_{w2} are radii of tool circles of the rotor and the stator, respectively; E is eccentricity of meshing, z_1 , z_2 are numbers of teeth of the stator and the rotor, respectively; r_c is the conjugated radius of the rack-type tool profile.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Prior Art

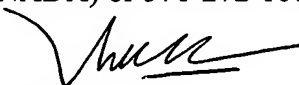
The IDS (PTO-1449) filed on Sept.5, 2006 has been considered. An initialized copy is attached hereto.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa Trieu whose telephone number is 571-272-4868. The examiner can normally be reached on Monday-Friday 8:30am- 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on 571-272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TT
October 27, 2006


Theresa Trieu
Primary Examiner
Art Unit 3748